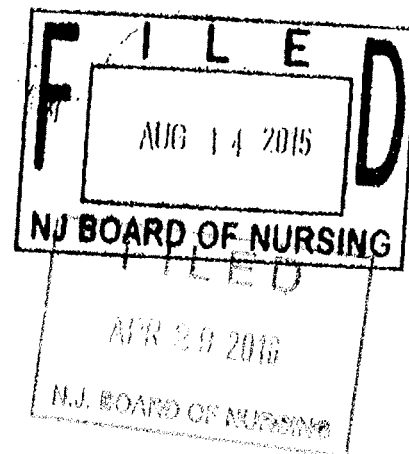


JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street, 5th Floor
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the State Board of Nursing

By: Shirley Dickstein
Deputy Attorney General
(973) 648-2779



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	ADMINISTRATIVE ACTION
	:	
Paulette Gault, C.H.H.A.	:	PROVISIONAL ORDER OF
Certificate No. 26NH11734600	:	DISCIPLINE
	:	
	:	<input checked="" type="checkbox"/> FINAL ORDER OF DISCIPLINE
	:	(Finalized by default
	:	on 4/29/2016, 4/29/16)
HOMEMAKER-HOME HEALTH AIDE	:	
IN THE STATE OF NEW JERSEY	:	

FINAL

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Paulette Gault ("Respondent") was certified to practice as a Homemaker-Home Health Aide in the State of New Jersey on February 1, 2010 and thereafter permitted that certification to lapse on November 30, 2013. (Exhibit A).

2. On August 16, 2013 the Board received a Complaint from Respondent's employer alleging that Respondent stole an I-PAD from a patient. (Exhibit B).

3. In the complaint, Janet Goodman of Jandan, Inc. d/b/a Home Instead Senior Care stated that Respondent (now known as Paulette Gault Duncan) informed her on June 3, 2013 that she was resigning and that June 8, 2013 would be her last day of employment. On June 11, 2013, Ms. Goodman received a call from a client Respondent was assigned to, stating that his father's I-PAD had been missing since June 8, 2013. June 8th was the last date Respondent visited the client. (Exhibit B).

3. The Board is also in receipt of a letter from Ms. Goodman dated August 8, 2014 in which she provided details about the police investigation conducted by the Franklin Township Police Department. (Exhibit C).

4. In the letter, Ms. Goodman stated that on July 23, 2013 Detective Drewrey E. Lea of the Franklin Township Police Department visited her office to obtain contact information for Respondent. On July 24, 2013, Ms. Goodman received a phone call from an employer in North Carolina looking for an employment reference for Respondent. That information was provided to Detective Lea. On July 25, 2013, Detective Lea spoke to Ms. Goodman's husband and reported he had contacted Respondent in North Carolina and instructed her to return the I-PAD. On July 30, 2013, the client's

family retrieved the I-PAD from the Franklin Township Police Department. (Exhibit C).

5. In response, the Board sent a Demand for Written Statement Under Oath to Respondent's address of record in Plainfield, New Jersey, via regular and certified mail on or about December 29, 2014. The regular mail was not returned, the certified mail was returned "Not Deliverable As Addressed." (Exhibit D).

6. A second attempt was made to contact Respondent by sending the Demand for Written Statement Under Oath to an alternative address for Respondent in South Bound Brook, New Jersey, via regular and certified mail on or about February 3, 2015. Both the regular and certified mailings were returned indicating that Respondent no longer lived at that address. (Exhibit E).

4. To date, Respondent has not responded to the Board's request for information.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

ACCORDINGLY, IT IS on this 14th day of August, 2015,
ORDERED that:

1. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent's certificate to practice as a homemaker-home health aide will be suspended until such time as Respondent cooperates fully with the Board's investigation by providing the Board with the information requested in the Board's letter of inquiry. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent shall refrain from engaging in the practice as a homemaker-home health aide and shall not represent herself as a homemaker-home health aide until such time as her certification is reinstated. Any practice in this State prior to such reinstatement shall constitute grounds for a charge of unlicensed practice.

2. Upon the filing of a FINAL ORDER OF DISCIPLINE Respondent is assessed a civil penalty in the amount of two hundred dollars (\$200). Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to Twalema Khonje, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of a FINAL ORDER OF DISCIPLINE. In the event Respondent fails to make a timely payment, a certificate of debt

shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent shall promptly, within 5 (five) days, mail her certificate, wall and wallet version, to practice as a homemaker-home health aide to Twalema Khonje, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101.

4. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30th day following entry hereof unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

- a) Submitting a written request for modification or dismissal to Twalema Khonje, State Board of Nursing, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.
- b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.
- c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

5. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a FINAL ORDER OF DISCIPLINE will be entered.

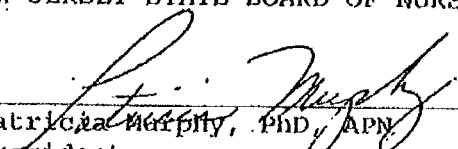
6. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

7. In the event that the Board receives no written request for modification or dismissal within 30 days following entry of this Provisional Order, without further Board review, all referenced preliminary Findings of Fact and Conclusions of Law and all provisional sanctions or penalties imposed by this Order shall automatically become the Final Decision and Order of the Board. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

8. The Board reserves the right to initiate disciplinary proceedings based upon any information that Respondent ultimately provides in response to the letter of inquiry or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APN
President